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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/098,204	06/16/98	UDELL	H 200.1099

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/098,204	Applicant(s) Udell et al
	Examiner Thong Vu	Group Art Unit 2756

☒ Responsive to communication(s) filed on *Jun 16, 1998*.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-43* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-43* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. For ease of referencing, the Applicant is requested to number the lines of the claims according to the number of the lines of the claims, not according to the line number of the page.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-19 are rejected under 35 U.S.C. § 103 as being unpatentable over Nozoe et al [5,867,281] in view of Hapner et al [5,848,419]

As per claim 1, Nozoe et al disclose *creating an executable module* or object or code or macro or program or email message or information attacher [col 2 line 34] *which instructs a computer to overwrite and/or delete* or update [col 8 line 51] *a document to which the executable module is attached; attaching the executable module to the document.* However Nozoe et al did

not teach the self-destructing module or executable module attaching to email message or document. The skilled artisan would have looked into the network communication art and have been led to utilize the method creating a self destroy object as taught by Hapner et al [Hapner col 14 lines 25,34,40,52].Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the self destroy object or module or macro as taught by Hapner et al into the email attachment of Nozoe et al in order to enhance the data management and control on network. By this rationale claim 1 is rejected.

As per claim 2-4, Nozoe-Hapner disclose the executable module is an executable code or program or module or macro as inherent feature of distributed objects [Hapner col 14 lines 25,34,40,52] or email attachment [Nozoe col 2 line 34]. By this rationale claim 2 is rejected.

As per claims 5,13 Nozoe-Hapner disclose *the step of executing the executable module when the document is opened* or invoked [Hapner col 14 lines 25,34,40,52].By this rationale claims 5, 13 are rejected

As per claims 6-9 contain the similar limitations set forth of method claims 1-4. Therefore, claims 6-9 are rejected for the same rationale set forth claims 1-4.

As per claim 10, Nozoe-Hapner disclose *the executable module is configured to overwrite* or update [Nozoe col 8 line 51] *tile message with null characters* as an inherent feature of self destroy object [Hapner col 14 lines 25,34,40,52]. By this rationale claim 10 is rejected

As per claims 11-14,16-19 Nozoe-Hapner disclose *the executable module is configured to instruct the computer to delete the e-mail message upon the occurrence of a predetermined*

condition as an inherent feature of self destroy object [Hapner col 14 lines 25,34,40,52]. By this rationale claims 11-14,16-19 are rejected.

As per claim 15, it contains the same limitations set forth of method claim 1. Therefore, claim 15 is rejected for the same rationale set forth claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 20,24-31 are rejected under 35 U.S.C. § 103 as being unpatentable over Nozoe et al [5,832,208] in view of Hapner et al [5,848,419] and further in view of Howell et al [5,689,699]

As per claim 20, Nozoe-Hapner disclose *creating a virtual container* or email attachemnt object, *the virtual container residing in contiguous locations in an electronic storage media of a computer* [Hapner col 11 line 43], *the virtual container including a header portion and a digital object portion* [Nozoe Fig 4, col 8 line 52]; *selecting a digital object for insertion into the virtual container* [Hapner col 7 line 45-47]. However Nozoe-Hapner did not teach *applying an encryption technique to the digital object to create an encrypted digital object; writing the encrypted digital object into the digital object portion; selecting an expiration date for the*

digital object; writing information indicative of the expiration date into the header portion of the Virtual container. The skilled artisan would have looked to the Email processing art and have been led to the technique delete the object when the expiration time or date has occurred as taught by Howell et al [col 2 line 1-9]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Howell technique which deletes the expiration object into the Nozoe-Hapner system in order to enhance the network management system. By this rationale claim 20 is rejected.

As per claim 24, Nozoe-Hapner-Howell disclose includes *the step of creating a container header and an digital object header, the container header containing information regarding the container including a container name, tile digital object header containing information regarding tile digital object* [Nozoe Fig 4, col 8 line 52].By this rationale claim 24 is rejected.

As per claims 25-31 contain the similar limitations set forth of method claims 20 and 24. Therefore, claims 25-31 are rejected for the same rationale set forth claims 20 and 24

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made..
>
> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 21-23,32-43 are rejected under 35 U.S.C. § 103 as being unpatentable over Nozoe et al [5,832,208] in view of Hasner et al [5,848,419] and further in view of Howell et al [5,689,699] and Pintsov [5,586,036]

As per claim 21, Nozoe-Hasner-Howell disclose *the steps of reading information indicative of an expiration date from a header portion of a virtual container* or email attachment object, *the virtual container residing in contiguous locations in an electronic storage media of a computer* [Hasner col 11 line 43], *the virtual container including the header portion and a digital object portion* [Nozoe Fig 11], *the digital object portion containing an encrypted digital object;*

determining, based upon said information, if the electronic object is expired [Howell col 2 line 1-9];

overwriting or update *the digital object portion of the virtual container with null data if the electronic object is expired* [Nozoe Fig 12]. However Nozoe-Hasner-Howell did not teach *an encrypted digital object* and reading the digital object from the digital object portion and applying a decryption technique to the digital object if the digital object is not expired . The skilled artisan would have looked into the communication system art and have been led to utilize the Pintsov technique which teaches an encrypt data [Pintsov col 2 line 55] and if not expired, decryption occurs to obtain the data [Pintsov col 11 line 60]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Pintsov technique of encrypt the data and decrypt data if not expired into the Nozoe-Hasner-Howell in order to enhance the communication process on network. By this rationale claim 21 is rejected.

As per claims 22 and 23 contain the similar limitations set forth of method claim 21. Therefore, claims 22 and 23 are rejected for the same rationale set forth claim 21.

As per claims 35, Nozoe-Hasner-Howell-Pintsov taught *the container header and the digital object headers, and wherein each digital object is located adjacent to its respective digital object header in the virtual container* as a design choice of executable object [Hasner col 2 line 36-37]. By this rationale claim 35 is rejected

As per claims 36-43, Nozoe-Hasner-Howell-Pintsov taught the digital object is document [Howell col 1 line 29]/program [Hapner col 1 line 55]. By this rationale claims 36-43 are rejected

Conclusion

6. All claims are rejected.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-**Chi** , [5,978,917] Detection and elimination of macro viruses

-**Buxton et al**, [5,978,579] Architecture for customizable component system

-**Sullivan** , [5,953,528] Knowledge Object registration

-**Nielsen** , [5,826,022] Method and apparatus for receiving electronic mail

-**Wolf et al**, [5,818,447] System and method for in-place editing of an electronic mail message using a separate program

-**Chen et al**, [5,832,208] Anti-virus agent for use with databases and mail servers

-**Shaw et al** , [5,809,242] Electronic mail system for displaying advertisement at local computer received from remote system while the local computer is off-line the remote system

-**LeBriton et al**, [5,788,238] Board game

-**Brunson** , [5,647,002] Synchronization of mailboxes of different types

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM. The examiner can also be reached on alternate Fridays during the same hours.

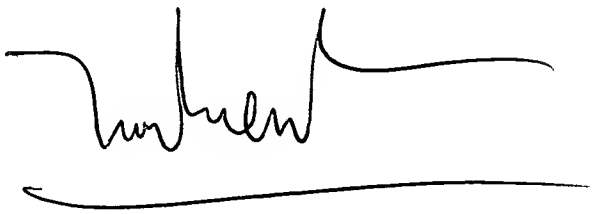
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Frank Asta*, can be reached on *(703) 305-3817 or via e-mail addressed to [Frank.Asta@uspto.gov]*. The fax number for this Group is (703) 308-6606 or 308-9731

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [thong.vu@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thong Vu
Jan 13, 2000



LE HIEN LUU
PRIMARY EXAMINER